

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA**

UNITED STATES OF AMERICA,

Plaintiff,

vs.

KELSEY PETERSON,

Defendant.

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CASE NO. 8:07CR396

ORDER

This matter is before the Court on the Defendant's objection and motion (Filing No. 74).

The Defendant objects to the Tentative Findings insofar as they allow the government to present oral testimony. The defense argues that if the government presents oral testimony that the Defendant should also be allowed to "do the same." (Filing No. 74, ¶ 4.) The Defendant, however, has not provided the Court with specific details required in ¶ 6 of the Order on Sentencing Schedule, such as: the nature of the expected testimony; the necessity for oral testimony as opposed to documentary evidence, such as affidavits; the identity of the proposed witness(es); and the length of time anticipated for the direct examination(s). Paragraph (6) specifically states that a party adverse to the party initially requesting to present oral testimony must also set out these details in its request to present testimony. Therefore, the Defendant's objection is noted for the record and the Defendant's request to present oral testimony is denied without prejudice to reassertion with the specific required supporting details.

IT IS ORDERED:

1. The Defendant's objection (Filing No. 74) is noted for the record; and
2. The Defendant's request to present testimony is denied without prejudice.

DATED this 15th day of September, 2008.

BY THE COURT:

s/Laurie Smith Camp
United States District Judge